

REMARKS

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

Status of the Claims

In the present Amendment, claims 12 and 18 have been amended. Claims 11-20 are withdrawn from consideration. Claims 1-20 are pending in the present application.

No new matter has been added by way of these amendments. Claims 12 and 18 now depend on claim 1, and support for such amendments is found throughout the present specification.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues under 35 U.S.C. § 103(a)

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Kim '417** (U.S. Patent No. 7,297,417) in view of **Zhou** (*Advanced Functional Materials*, No. 4, pp. 310-314 (201)) (see paragraphs 1-7 of the Office Action). Applicants respectfully traverse and reconsideration is based on the following remarks.

The Kim '417 patent (or the corresponding published Application No. US 2005/0037234 A1) has a U.S. filing date of August 4, 2004. However, the present application has an

international filing date of December 25, 2003 (PCT/JP2003/016780). *See* M.P.E.P. § 201.13(b).

Thus, Kim '417 is not applicable prior art, and this rejection has been rendered moot and/or has been overcome. Reconsideration and withdrawal of this rejection are respectfully requested.

Information Disclosure Statement

Applicants note that Information Disclosure Statements were filed on November 10, 2009, and January 11, 2010, after issuance of the outstanding Office Action. Consideration of the cited references and a returned, initialed copy of the SB/08 forms are respectfully requested.

Restriction/Election

Applicants herein confirm the election of Group I, claims 1-10, without traverse. Claims 11-20 have been withdrawn as being directed to a non-elected invention.

Since Applicants believe the elected products are allowable for the reasons stated above, rejoinder and allowance of withdrawn claims 12-20 are respectfully requested. It is believed that any use or making of an allowed product is also allowable. *In re Ochiai*, 37 USPQ2d 1127 (Fed. Cir. 1995).

Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

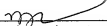
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez, Reg. No. 48,501,

at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 
MaryAline Armstrong
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant